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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 RICHARD LEHMAN, on behalf of himself and, )  
8 others similarly situated, )

9 Plaintiff, )

10 v. )

11 WARNER NELSON; WILLIAM BECK, JR., )  
12 BRIAN BISH, KLAAS A. DeBOER; )  
13 MICHAEL G. MARSH; ROCKY SHARP; )  
14 RICHARD BAMBERGER; DENNIS CALLIES, )  
15 CLIF DAVIS, TIM DONOVAN; HARRY )  
16 THOMPSON; GARY YOUNGHANS; CLINT )  
17 BRYSON; MICHAEL CHURCH; MICHAEL )  
DOYLE; GREG ELDER; GLEN FRANZ; )  
GARY GONZALES; CARL D. HANSON; )  
PATRICK POWELL; GARY PRICE; SCOTT )  
STEPHENS; ROGER TOBIN; and GRANT )  
ZADOW, in their capacity as Trustees of the )  
IBEW Pacific Coast Pension Plan, )

18 Defendants. )  
19

20 This matter came before the Court on Plaintiffs' and Defendants' Stipulated Motion for  
21 Damages. The Court has reviewed the following:

- 22 1. Stipulated Motion for Damages, the accompanying Declaration of  
23 Richard J. Birmingham, and all exhibits thereto;
2. The other papers and pleadings on file in this matter as well as any arguments by  
counsel.

1 As the Court finds the method of calculating damages appropriate, and in consideration  
2 of Defendants' agreement thereto, the Court hereby ORDERS that Plaintiffs' and Defendants'  
3 Stipulated Motion for Damages is GRANTED.

4 The Court further finds and ORDERS as follows:

5 1. Damages in this matter for the Plaintiff class equal \$3,790,230.05 as of  
6 December 31, 2017, which represents: (a) 2,633,122.87 in pension contributions made on  
7 Plaintiffs' behalf that were wrongfully withheld by Defendants; and (b) \$1,157,107.18 in  
8 earnings thereon, based on the IBEW Pacific Coast Fund's reported annual rates of return from  
9 2008 through December 2017.

10 2. Earnings shall continue to accrue on this damages award from January 1, 2018,  
11 through the date that Defendants transfer to the travelers' Home Funds the damages awarded by  
12 this Order, as determined by the BBH Limited Duration Fund (Class N).

13 3. Any further withholdings made by the Defendants or the IBEW Pacific Coast  
14 Fund that are inconsistent with this Court's orders in this case, along with all earnings of the  
15 IBEW Pacific Coast Fund thereon as determined by the BBH Limited Duration Fund (Class N),  
16 shall constitute further damages owed to Plaintiffs in this action.

17 4. Plaintiffs will apply for costs and attorneys' fees within twenty-four days after  
18 this Court's decision on Plaintiffs' and Defendants' Stipulated Motion for Damages, consistent  
19 with Dkt. # 126.  
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2 IT IS SO ORDERED this 27 day of March 2018.

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5 RICARDO S. MARTINEZ  
6 CHIEF UNITED STATES DISTRICT JUDGE

7 Presented by:

8 Davis Wright Tremaine, LLP  
9 Attorneys for Richard Lehman and the Class

10 By /s/Richard J. Birmingham

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